

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

CYNTHIA RUSSO, LISA BULLARD,
RICARDO GONZALES, INTERNATIONAL
BROTHERHOOD OF ELECTRICAL
WORKERS LOCAL 38 HEALTH AND
WELFARE FUND, INTERNATIONAL
UNION OF OPERATING ENGINEERS
LOCAL 295-295C WELFARE FUND, and
STEAMFITTERS FUND LOCAL 439, on
behalf of themselves and all others similarly
situated,

Plaintiffs,

v.

WALGREEN CO.,

Defendant.

Civil No. 17-cv-2246

Judge Edmond E. Chang
Magistrate Judge Sheila Finnegan

**WALGREENS' UNOPPOSED MOTION FOR LEAVE TO FILE UNDER SEAL
PORTIONS OF ITS MOTION TO EXCLUDE PORTIONS OF SCHAFERMEYER'S
REBUTTAL REPORT AND ANY TESTIMONY REGARDING THE SAME PURSUANT
TO FEDERAL RULES OF EVIDENCE 702 AND 403, AS WELL AS PORTIONS OF AN
EXHIBIT FILED IN SUPPORT**

Defendant Walgreen Co. ("Walgreens") moves the Court for leave, pursuant to Local Rule 26.2, for an Order allowing Walgreens to file under seal limited information in Walgreens' Motion to Exclude Portions of Schafermeyer's Rebuttal Report and any Testimony Regarding the Same Pursuant to Federal Rules of Evidence 702 and 403 (the "Schafermeyer Motion"), as well as portions of one exhibit attached in support of the Schafermeyer Motion. In support of this Motion, Walgreens states as follows:

1. Pursuant to Local Rule 26.2, "[a]ny party wishing to file a document or portion of a document electronically under seal in connection with a motion, brief or other submission must: (1) provisionally file the document electronically under seal; (2) file electronically at the same time a public-record version of the brief, motion or other submission with only the sealed document excluded; and (3) move the court for leave to file the document under seal."

2. The Schafermeyer Motion contains references to the April 25, 2023 Amended Expert Report of Jed Smith that Walgreens has designated as “Confidential” pursuant to Sections 3 and 4 of the Agreed Confidentiality Order (ECF No. 79).

3. In addition, Exhibit D to the Schafermeyer Motion, which is the April 25, 2023 Amended Expert Report of Jed Smith, contains information that Walgreens has designated as “Confidential” pursuant to the Agreed Confidentiality Order.

4. Walgreens will today publicly file a redacted version of the Schafermeyer Motion, and a redacted version of the Exhibit listed above.

5. Walgreens asks the Court for leave to file the unredacted documents under seal that contain the information that Walgreens has designated as “Confidential.”

6. Plaintiffs do not oppose this motion.

7. Attached as Exhibit 1 is a Proposed Order granting this motion.

WHEREFORE, Walgreens respectfully requests that this Court grant this motion for Leave to File Under Seal.

Dated: August 22, 2023

Respectfully submitted,

s/ Michael Scott Leib

Michael Scott Leib

Anthony Robert Todd

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CERTIFICATE OF SERVICE

I certify that on August 22, 2023, this document was electronically filed with the Clerk of Court using the Court's CM/ECF system, which will then serve a notification of the filing to the registered parties of record.

s/ Michael Scott Leib
Michael Scott Leib